

over the illegal use of firearms was a higher priority.

The decision came after Republican leaders failed to muster the 60 votes needed to prevent amendments not strictly related to the defense budget from being offered to the defense bill.

In a count of 50-48, seven Republicans joined Democrats in voting not to restrict debate, a move that Democratic leaders said would have prevented consideration of amendments to help veterans and survivors of deceased service members, along with other issues.

With Congress planning to leave town Friday for one-month break, debate on S. 397, Protection of Lawful Commerce in Arms Act, is expected to last two or three days, and then Senate leaders plan to take up an energy bill, an estate tax reform bill and an Interior Department funding bill that has a \$1.5 billion bailout attached for veterans' health care programs, leaving no time until September to get back to the defense bill.

The House approved its version of the defense bill in May and has been waiting for the Senate to catch up to begin negotiations with the Bush administration on a final version.

Delay in the Senate is partly a result of senators spending three weeks this spring debating federal judicial nominations before reaching a compromise on President Bush's nominees.

It all points toward a difficult autumn. When the Senate returns in September from its month-long summer recess, it will need to consider recommendations of the Defense Base Closure and Realignment Commission, due to finish its work by Sept. 8, and begin deliberations on the nomination of John Roberts to the Supreme Court vacancy left by retiring Justice Sandra Day O'Connor.

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued Book II.

ORDERS FOR FRIDAY, JULY 29, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. on Friday, July 29; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to the consideration of the conference report to accompany H.R. 2361, the Interior appropriations bill, as under the previous order. I further ask that following the use or yielding back of the time on the Interior conference report, it be temporarily set aside and the Senate proceed to the conference report to accompany H.R. 2985, the Legislative Branch appropriations bill, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I further ask unanimous consent that the Senate then resume consideration of the Energy conference report and there be 30 minutes equally divided for closing remarks between the chairman and ranking member or their designees with all of the provisions of the previous consent remaining.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will complete consideration of the conference reports to accompany the Interior appropriations bill, the Legislative Branch appropriations bill, the Energy bill, and the highway bill. The Senate will also complete action on the gun liability bill with an agreement that was reached this evening. As my colleagues can see, we will have a very busy day tomorrow with rollcall votes throughout. We should be able to complete our business tomorrow. I expect that we will. Again, it will be a very busy day. Senators should remain close to the Chamber throughout the day so that we can proceed in an or-

derly way for what could be up to 13 votes during tomorrow's session.

A PRODUCTIVE SEVERAL MONTHS

Mr. FRIST. Mr. President, we will be closing tomorrow afternoon, hopefully not too late in the afternoon. This has been a very productive several months. If you look back and reflect upon the issues that have been discussed and the bills that have been passed, there have been many. We are governing in a way that meets the expectations of the American people, governing with meaningful solutions to their everyday problems. We passed a budget which was the fifth fastest in history. We passed a bankruptcy bill, a class action reform bill to rid frivolous lawsuits. We had six circuit court nominations, judges that had been either filibustered or threatened to be filibustered in the past. Now we will continue all of that work tomorrow with an Energy bill, a highway bill, a gun liability bill, a legislative conference report, and the Interior conference report. So it has been a very productive Congress and one that we will continue to work very aggressively on as we come back after the recess.

CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 225, the adjournment resolution; provided that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 225) was agreed to, as follows:

H. CON. RES. 225

Resolved by the House of Representatives (the Senate concurring), That, in consonance with section 132(a) of the Legislative Reorganization Act of 1946, when the House adjourns on

the legislative day of Thursday, July 28, 2005, Friday, July 29, 2005, or Saturday, July 30, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, September 6, 2005, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Friday, July 29, 2005, through Friday, August 5, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 6, 2005, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 10:57 p.m., adjourned until Friday, July 29, 2005, at 9 a.m.

DISCHARGED NOMINATIONS

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nominations and the nominations were confirmed:

THOMAS A. FUENTES, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2005.
BERNICE PHILLIPS, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2005.
KEVIN F. SULLIVAN, OF NEW YORK, TO BE ASSISTANT SECRETARY FOR COMMUNICATIONS AND OUTREACH, DEPARTMENT OF EDUCATION.

HENRY LOUIS JOHNSON, OF MISSISSIPPI, TO BE ASSISTANT SECRETARY FOR ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF EDUCATION.